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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/811,626

03/29/2004

Stefano Benedetto Previdi

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09/25/2007

THE LAW OFFICE OF KIRK D. WILLIAMS

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EXAMINER

SIKRI, ANISH

ART UNIT

PAPER NUMBER

2143

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 10/811,626	Applicant(s) PREVIDI ET AL.	
	Examiner Anish Sikri	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/23/06, 1/21/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement submitted on 1/23/06 and 1/21/06 been considered by the Examiner and made of record in the application file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 to 13 are rejected under 35 U.S.C 102(b), as being unpatentable over Dravida et al (US Pat 5,253,248).

Consider **Claim 1**, Dravida et al discloses computer-readable medium containing computer-executable instructions for performing steps for updating routing information, said steps comprising: maintaining one or more sets of routing information (Dravida et al, Col 4, Lines 59-68, Col 5 Lines 1-5, 6-41, 45-63); receiving a network topology change indication, the network topology change indication being one of a progressive series of network changes with at least one more associated

network topology change indication of the progressive series of network changes expected to be received in the future (Dravida et al, Col 4, Lines 59-68, Col 1-5); computing an updated set of routing information based on the network topology change indication (Dravida et al, Col 4, Lines 59-68, Col 5 Lines 1-5); determining whether or not the updated set of routing information changes nexthop information for one or more routes (Dravida et al, Col 4, Lines 59-68, Col 1-5); and in response to determining that the new set of routing information does not change nexthop information for said one or more routes and said expectation of said at least one more associated network topology change indication of the progressive series of network changes to be received in the future, not updating said one or more sets of routing information based on the updated set of routing information (Dravida et al, Col 4, Lines 59-68, Col 5 Lines 1-5, 6-41, 45-63). It clearly shows on routes are updated along with network topology changes.

Consider **Claim 2**, Dravida et al discloses the computer-readable medium of claim 1, wherein said steps comprise: in response to determining that the new set of routing information does change nexthop information for said one or more routes, updating said one or more sets of routing information based on the updated set of routing information (Dravida et al, Col 4, Lines 59-68, Col 5 lines 1-5, 6-41, 45-63). It clearly shows on how routes are updated.

Consider **Claim 3**, Dravida et al discloses computer-readable medium of claim 1, wherein the network topology change indication identifies one or more routing metric changes and a value identifying that said at least one more associated network topology change indication of the progressive series of network changes is expected to be received in the future (Dravida et al, Col 3 Lines 20-25, Col 8 Lines 20-25, Col 4, Lines 59-68, Col 5 lines 1-5, 6-41, 45-63). It clearly shows on changes to network topologies are encountered.

Consider **Claim 4**, Dravida et al discloses computer-readable medium of claim 1, wherein said steps further comprise: in response to identifying a timeout condition corresponding to the updated set of routing information, updating said one or more sets of routing information based on the updated set of routing information (Dravida et al, Col 4, Lines 59-68, Col 1-5, 6-41, 45-63, Col 2 Lines 64-68, Col 3 Lines 1-8). It clearly shows on timeout factors into the routing updates.

Consider **Claim 5**, Dravida et al discloses a method for updating routing information, the method comprising: maintaining a routing information base; receiving a network topology change indication, the network topology change indication including a route update of a progressive series of route updates and an indication to expect one or more route updates of the progressive series of route updates (Dravida et al, Col 4, Lines 59-68, Col 5 lines 1-5, 6-41, 45-63); performing a shortest path first determination based on the route update and the

routing information base to identify an updated set of routing information (Dravida et al, Col 5 Lines 55-63, Col 5 Lines 10-12);

determining that the updated set of routing information does not change nexthop information for one or more routes included in the routing information base; and in response to said determining that the updated set of routing information does not change nexthop information for one or more routes included in the routing information base and the indication to expect one or more route updates of the progressive series of route updates, not updating said one or more sets of routing information based on the updated set of routing information (Dravida et al, Col 4, Lines 59-68, Col 5 lines 1-5, 6-41, 45-63). It clearly shows on routes are updated along with network topology changes.

Consider **Claim 6**, Dravida et al discloses the method of claim 5, wherein the network topology change indication corresponds to switching to a computed backup path (Dravida et al, Col 5 Lines 42-45, Col 9, Lines 1-10). It clearly shows on the uses of alternative paths.

Consider **Claim 7**, Dravida et al discloses the method of claim 5, comprising: in response to identifying a timeout condition corresponding to the updated set of routing information, updating said one or more sets of routing information based on the updated set of routing information (Dravida et al, Col 4, Lines 59-68, Col 1-5, 6-41, 45-63, Col 2

Art Unit: 2143

Lines 64-68, Col 3 Lines 1-8). It clearly shows on timeout factors into the routing updates.

Claims **8-13** have similar limitations as to Claims **1-7**; therefore they are rejected under the same rational as to claims **1-7**.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anish Sikri whose telephone number is 571-270-1783. The examiner can normally be reached on 8am - 5pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Anish Sikri
a.s.

September 12, 2007


DAVID WILEY
SUPERVISORY PATENT EXAMINER
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